

U. S. MAGISTRATE JUDGE MEMORANDUM
1300 Victoria, Rm. 2265
P. O. Box 1241
Laredo, Texas 78042-1241

To: Mr. Tony Anastas
2300 United States Courthouse
One Courthouse Way
Boston, MA 02210-3002

From: Marcel C. Notzon
United States Magistrate Judge

Date: January 7, 2005

Subject: Case No. MJ 04-M274-JLA-01
(Laredo Misc. Case No. L-04-10698M)
U.S.A. VS. FELIX PARRA-GASTELOM

Enclosed are the following documents reference the above case:

1. Returned/Executed Warrant for Arrest.
2. Courtroom Minutes. Re: Initial Appearance
3. Order Appointing Federal Public Defender.
5. Courtroom Minutes. Re: Identity/Removal/Detention Hearing, 12/21/04.
6. Courtroom Minutes. Re: Identity/Removal/Detention Hearing, 12/28/04.
7. Pretrial Services Report.
8. Waiver of Rule 40 Hearings.
9. Certified copy of Commitment to Another District.

Note: Retrained Attorney Alex Kessel
Hearings to be set in your division.

DEC 15

1) FPD -

2) Adan A. Gonzalez, appt'd.

No Bond
Ad/Rem/Ret Hg to be
set upon atty's request

AD 442 (Rev. 5/93) Warrant for Arrest

United States District Court

DISTRICT OF Massachusetts

UNITED STATES OF AMERICA

v.

WARRANT FOR ARREST

FELIX PARRA-GASTELOM

CASE NUMBER: MJ 04-M 174-JLA 41

To: The United States Marshal
and any Authorized United States Officer

LAREDO MISC. NO L04-10698M-01

YOU ARE HEREBY COMMANDED to arrest

JOSE LUIS ARELLANO

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

knowingly and intentionally conspired to distribute and to possess with intent to distribute marijuana, a schedule I controlled substance

in violation of
Title

21

United States Code, Section(s) 846 and 841(a)(1)

Hon. Joyce London Alexander

Name of Issuing Officer

Joyce London Alexander
Signature of Issuing Officer

United States Magistrate Judge

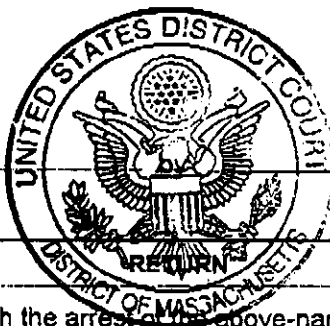
Title of Issuing Officer

11-18-2004 Boston, MA

Date and Location

Bail fixed at \$

Name of Judicial Officer



This warrant was received and executed with the arrest of the above-named defendant at 1445 hrs on
December 14, 2004 in Laredo, Texas.

DATE RECEIVED
11-18-2004

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST
12-14-2004

MAURO LOPEZ / Special Agent

Mauro Lopez

AO 242 (Rev. 5/93) Warrant for Arrest

United States District Court

DISTRICT OF *Massachusetts*

UNITED STATES OF AMERICA

v.

WARRANT FOR ARREST

[REDACTED]
JOSE LUIS ARELLANO

CASE NUMBER: MJ 04-M-*274*-JLA *27.2*

To: The United States Marshal
and any Authorized United States Officer

LAREDO MSC. NO, L-04-10698M-02

YOU ARE HEREBY COMMANDED to arrest FELIX PARRA-GASTELOM

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

knowingly and intentionally conspired to distribute and to possess with intent to distribute marijuana, a schedule I controlled substance

in violation of
Title

21

United States Code, Section(s) 846 and 841(a)(1)

Hon. Joyce London Alexander

Name of Issuing Officer

[Signature]
Signature of Issuing Officer

United States Magistrate Judge

Title of Issuing Officer

11-18-2004 Boston, MA

Date and Location

Bail fixed at \$

Name of Judicial Officer



This warrant was received and executed with the arrest of the above-named defendant at *1445 hrs on December 14, 2004 in Laredo, Texas.*

DATE RECEIVED
11-18-2004

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST
12-14-2004

MAURO LOPEZ / Special Agent

[Signature]

AO 442 (Rev. 5/93) Warrant for Arrest

United States District Court

DISTRICT OF *Massachusetts*

UNITED STATES OF AMERICA

V.

WARRANT FOR ARREST

FELIX PARRA-GASTELOM

CASE NUMBER: MJ 04-M *574*-JLA *21*

To: The United States Marshal
and any Authorized United States Officer

(Laredo Misc. No. L-04-10698M-02)

YOU ARE HEREBY COMMANDED to arrest

JOSE LUIS ARELLANO

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation
Petition

charging him or her with (brief description of offense)

knowingly and intentionally conspired to distribute and to possess with intent to distribute marijuana, a schedule I controlled substance

in violation of
Title

21

United States Code, Section(s) 846 and 841(a)(1)

Hon. Joyce London Alexander

Name of Issuing Officer

United States Magistrate Judge

Title of Issuing Officer

11-18-2004

Boston, MA

Date and Location

Signature of Issuing Officer

Bail fixed at \$

Name of Judicial Officer



This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

AO 51 (Rev. 5/85) Criminal Complaint

United States District Court

DISTRICT OF

Massachusetts

UNITED STATES OF AMERICA

V.

FELIX PARRA-GASTELOM and
JOSE LUIS ARELLANO

CRIMINAL COMPLAINT

CASE NUMBER: MJ 04-M 274 JLA

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief On or about October through November 2004 in Middlesex county, in the

District of Massachusetts defendant(s) did, (Track Statutory Language of Offense)

knowingly and intentionally conspire to distribute, and to possess with intent to distribute, marijuana, a Schedule I controlled substance

in violation of Title 21 United States Code, Section(s) \$846 and 21 U.S.C. §841(a)(1)

I further state that I am a(n) Special Agent and that this complaint is based on the following
Official Title

facts:

See Affidavit of Special Agent Kristin Rosenbeck, attached hereto and incorporated herein by reference

Continued on the attached sheet and made a part hereof.



Yes



No

Kristin Rosenbeck
Signature of Complainant

Sworn to before me and subscribed in my presence.

11-18-2004

Date

at

Boston, MA

City and State

Joyce London Alexander
United States Magistrate Judge
Name & Title of Judicial Officer

Joyce London Alexander
Signature of Judicial Officer

Affidavit Of Special Agent Kristin Rosenbeck

I, Kristin Rosenbeck, on oath depose and state that:

1. I am a Special Agent with U.S. Immigration and Customs Enforcement ("ICE"), and I have been employed with ICE and its predecessor agency, U.S. Customs Service, since June 1991. I am currently assigned to the Drug Smuggling Group of the Boston Office. Prior to this position, I was assigned to the money laundering group in Boston. Prior to that, I served for five years as a Special Agent in Brownsville, Texas working on drug smuggling investigations. Since joining federal law enforcement in 1991, I have been involved in multiple drug-related investigations involving the illegal smuggling of cocaine, heroin, marijuana, and other controlled substances. I have received extensive training in all aspects of drug smuggling and the techniques used by persons to finance and import drugs.

2. I make this affidavit based upon personal knowledge derived from my participation in this investigation and upon information provided to me by other federal and local law enforcement officers.

3. This Affidavit is submitted in support of a criminal complaint charging FELIX PARRA-GASTELOM and JOSE LUIS ARELLANO with conspiracy to distribute, and to possess with intent to distribute, marijuana in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(a)(1). This investigation is still ongoing. Accordingly, I have not included each and every fact known to me and to other agents working in this investigation. Instead, I have included only those facts which I believe are necessary to establish the existence of probable cause to support the issuance of the criminal complaint.

FACTS

4. In October 2004, Special Agents assigned to ICE in Laredo, Texas, received

information that a marijuana distributor was looking for assistance in transporting a load of marijuana from Texas to Boston, MA. They learned that the distributor wanted a tractor-trailer driver fluent in both English and Spanish languages and that the distributor would meet the load in Boston, MA.

5. On October 18, 2004, surveillance agents arranged for the distributor to be identified through a traffic stop. The distributor was stopped while driving a pickup truck recognized by surveillance agents, and the distributor produced a border crossing card identifying himself as Felix PARRA-GASTELOM (hereafter "PARRA"). However, a subsequent search of the Immigration and Naturalization Service Central Index System, which contains data on all individuals possessing border crossing cards, did not return data for this name.

6. On October 20, 2004, law enforcement agent(s) acting in an undercover capacity, hereinafter referred to as UCA, met with an associate of PARRA, Jose Luis ARELLANO, to discuss the logistics of transporting a large amount of smuggled marijuana. A photograph of ARELLANO obtained from his driver's license, and recognized by agents to be a photograph of the person attending this meeting, is attached as Exhibit 1. The UCA met with ARELLANO and PARRA on October 25, 2004 and again on November 2, 2004. These meetings took place in Spanish and were recorded with audio equipment.

7. During the October 25, 2004 meeting, PARRA reported to the UCA, in sum and substance, that they are constantly moving stuff. He noted that the marijuana is very professionally packaged. He stated that there is no way to detect it, and that it does not smell. He indicated that he uses a cover load to hide the true nature of the delivery. PARRA reported that he usually deals in loads of 1000 to 1500 pounds. PARRA and the UCA discussed a price of \$50,000

for the transportation. PARRA agreed to pay \$10,000 before the pickup and the remainder at the time of delivery.

8. On November 2, 2004, UCA met with ARELLANO and PARRA to discuss and finalize the marijuana transportation. The Spanish language conversation was recorded on video and audio. Images of PARRA taken from this video are attached as Exhibits 2, 3, 4 and 5 to this Affidavit. During this meeting, PARRA gave directions from Texas to Boston and described in detail the hotel location near Boston (a TAGE INN) where the UCA were to meet with PARRA. PARRA indicated that the UCA would go to the drop off location from there. PARRA stated, in substance, that he would make arrangements with ARELLANO to pick up the load on the following day (November 3). PARRA told the UCA to drop off the container and then come back for it after the load was placed inside. ARELLANO told the UCA in substance to drop off the trailer around 4:00 - 4:30 pm the next day and come back around 7:00 a.m. on the following next day (November 4) for pick up. PARRA stated in substance that he might have the \$40,000 ready once the UCA arrived in Boston, and that the UCA should call PARRA's cellular telephone once they arrived at the Boston area hotel.

9. During this conversation, PARRA further explained that he would not come close to the load or the restaurant location, but he will leave an individual that will bring the UCA to the drop off location. ARELLANO told the UCA, in substance, that he would wait for the call from the UCA when he arrived to pick up the container.

10. On November 3, 2004, UCA dropped off a trailer to a warehouse located at 1710 Markley Lane, Laredo, TX. ARELLANO indicated to the UCA that he controlled this warehouse. Discussions among the UCA and ARELLANO took place in Spanish and were recorded on video

and audio. In substance, the UCA met with ARELLANO to pick up the container. ARELLANO told the UCA that the truck was ready and that he would give the UCA a call around 7:00 p.m. - 7.30pm.

11. On November 4, 2004, UCA met with ARELLANO and PARRA at the warehouse location. At this meeting, PARRA gave \$10,000 in U.S. currency to the UCA. This conversation was recorded on video and audio. Images of PARRA and ARELLANO from this video are attached as Exhibits 6 and 7, respectively.

12. On November 5, 2004, UCA picked up the trailer loaded with marijuana from the warehouse for transport to the Boston, MA, area. When the UCA arrived at the warehouse location, the trailer was partially loaded with the cover load. ARELLANO operated a forklift to load the boxes containing the smuggled marijuana and continued to fill the trailer with the cover load.

13. On November 7, 2004, the UCA arrived in the Boston, MA, area. Law enforcement officers in Boston outfitted the tractor-trailer with a GPS transponder. The next day, on November 8, 2004, the UCA, who were outfitted with an audio and visual transmitter allowing real-time monitoring and recording, drove the tractor trailer to the TAGE INN, located in Somerville, MA, as previously instructed by PARRA.

14. On this same date, surveillance units witnessed a subject later identified as William STANLEY exit a black Ford Taurus vehicle displaying license plate MA-US 62DV40. STANLEY departed the front passenger side of the Taurus carrying a small, plastic bag in his hands. STANLEY walked to the rear of the Taurus where he appeared to be manipulating items in the trunk of the Taurus. STANLEY removed a black, plastic trash bag from the trunk. A photo of this

activity revealed a box that appears to be a box of Husky brand trash bags. A box of Husky brand contractor bags was later seized.

15. Surveillance units witnessed STANLEY walk across the street and get into the passenger's side of the cab of the tractor. STANLEY introduced himself to the driver as "Billy". STANLEY directed the driver to take 93 North to 128 South. The Taurus drove by the tractor-trailer and departed the area. UCA identified PARRA as the passenger of the vehicle located in the back, driver's side seat. Upon departing the area, PARRA gave a "thumbs-up" hand signal to the UCA.

16. STANLEY provided directions to the UCA to go toward the offload location while making and receiving numerous calls on his cellular telephone.

17. At approximately 11:07 a.m., the tractor-trailer traveled on Esquire Road in Billerica, MA. STANLEY handed over \$40,000 from the small plastic bag to the UCA and stated "that's your money."

18. At approximately 11:14 a.m., STANLEY directed them into the business location, identified as 239 Rangeway Road, Billerica, MA. This location houses a cement block warehouse. STANLEY stated to the UCA that usually the driver leaves the container, the driver takes off and comes back later. STANLEY asked the UCA how the UCA wanted to do it and UCA stated that the UCA would wait for them to finish offloading.

19. At approximately 11:15 a.m., UCA verified the money in the bag given to the UCA by STANLEY, which appeared to be in bundles of \$5,000.

20. Surveillance units observed the tractor-trailer being unloaded. Several pallets of the cover load, used computer parts, are unloaded onto the ground outside of the warehouse. PARRA had previously instructed UCA in recorded conversations to transport the cover load of used

computer parts back to Laredo, TX, for reuse.

21. At approximately 2:30 p.m., agents observed a maroon Ford F-150 XLT pickup truck, Massachusetts registration number 33RK14, Vehicle Identification Number 1FTRX18L43NB58663, registered to Frederick Pidge, 8 Colonia Road, Billerica, MA, pull into the warehouse. The bed of the pickup truck was empty when the truck arrived but left the warehouse with four Greenlee brand containers in the bed of the truck. The pickup truck was followed, and a search warrant was obtained for the containers, which revealed a total of 76 "bricks" of marijuana, wrapped in cellophane, greased and covered with coffee grounds. This agent is familiar with many methods that drug distributors and couriers use to conceal marijuana and other controlled substances, and it is a common practice to surround controlled substances with coffee in an attempt to conceal the odor. The load field tested positive for marijuana.

22. Meanwhile, back at the warehouse, a white 1999 Ford Econoline van, Massachusetts Registration number US30RG, Vehicle Identification Number 1FTRE1420XHA06080, registered to Sandra Saunders, pulled in at approximately 3:00 pm, shortly after the pickup truck left. WILLIAM STANLEY met the van at the warehouse, and helped load the van with large trash bags. Surveillance agents saw STANLEY pass the bags to persons inside the van. The bags were opaque, but were observed to be filled to the top, and appeared to be heavy based on the manner in which STANLEY was handling the bags.

23. The van left the warehouse at approximately 3:15 p.m. Surveillance was maintained, and it was stopped by state police shortly after it left the warehouse. During a subsequent search of the van, fourteen large trash bags were recovered from this vehicle. These bags were full of "bricks" of marijuana, similar in appearance to the bricks recovered from the containers in the pickup truck - tightly wrapped cellophane, greased and covered with coffee

grounds. A total of 67 bricks were contained in the trash bags. The load field tested positive for marijuana.

24. After the van departed the warehouse, WILLIAM STANLEY remained outside the warehouse, sitting on a milk crate, making calls on his cellphone. After approximately half an hour sitting outside, STANLEY abandoned his calls and went into the warehouse. STANLEY remained in the warehouse for more than five minutes. When STANLEY did not emerge from the warehouse quickly, agents secured the warehouse, and located the owner of the warehouse, who signed a written consent authorizing a search of the warehouse.

25. Garbage bags, contractor size, similar in color and size to the bags which WILLIAM STANLEY was seen unloading from the trunk of the Ford Taurus and later loading into the white van, were strewn around the warehouse floor. A partially full box of unused bags was also in the warehouse.

26. A search of the warehouse revealed five containers similar in size to the green containers seen on the pickup truck. Two of these containers were green, Greenlee brand, identical to the ones on the pickup truck, and three were yellow containers of a "Husky" brand. The yellow containers had locks on them which had coffee grinds on the locks. A search warrant was obtained for the five containers, and upon search, they were found to contain marijuana, packaged in bricks like those located in both the pickup truck and the van. A total of 57 bricks was recovered from the warehouse in these five containers.

27. The total gross weight of marijuana obtained from the containers in the pickup truck, van, and warehouse was more than fifteen hundred pounds.

CONCLUSION

28. Based on the foregoing, I submit that there is probable cause to believe that FELIX

PARRA-GASTELOM and JOSE LUIS ARELLANO knowingly and intentionally conspired to distribute, and to possess with intent to distribute, marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(a)(1).



Kristin Rosenbeck

Special Agent, Immigration and Customs Enforcement

Sworn to and subscribed before me this 18th day of November 2004.



HON. JOYCE LONDON ALEXANDER

United States Magistrate Judge

COURTROOM MINUTES: ☒ INITIAL APPEARANCE ☐ IDENTITY☐ BOND HEARING☐ PRELIMINARY HEARING☐ DETENTION HEARING☐ COUNSEL DETERMINATION HEARING☐ HEARING CONTINUED ONTHE HONORABLE **MARCEL C. NOTZON**, PRESIDINGDEPUTY CLERK: **12/22/04 @ 11:00** ERO: **PAT GALVAN**DATE: **12/15/04**OPEN: **12:52** ADJOURN: **1:25**

RECESS FROM: TO:

☒ ERO/Tape No: **#1** CTRM # **209** Start _____ End _____ Additional Tape No. _____ Start _____ End _____USPO ☐ PTSO ☒ *E. Werschling* ☒ Deft ☐ MW - ☒ does ☐ does not need an interpreter. ☐ Other District ☐ DivisionINTERPRETER PRESENT: ☐ NO ☒ YES, NAME: **DIANA GONZALEZ**CR No. **MT 04-N-274** DEFT NO. _____USDJ Laredo Misc. No. **L-04-10698M-01****UNITED STATES OF AMERICA**§
§
§
§
§**Mitch Neurock** **AUSA**☒ kgaddatty

VS

Felix Parra-Gastelom**Arturo Villarreal** ☒

Counsel for Defendants Appt - (A), Rtn - (R), FPD - (F)

☐ kars Date of arrest: _____ or ☐ kars40☒ kia Deft first appearance. Deft advised of rights/charges ☐ Probation Violator ☐ Pretrial Release Violator☒ kcnsl Deft first appearance with counsel.☒ Deft ☐ MW ☐ appeared ☒ with ☐ without counsel.☒ Requests appointed counsel.☒ kfinaff . . . FINANCIAL AFFIDAVIT executed.☒ koaptpd . . Order appointing Federal Public Defender.☐ k20appt. . . Private Counsel Appointed, _____☐ Deft advises he will retain counsel. He retained _____☐ ko.(bnd). . . Bond set ☐ reduced to \$ _____ Cash Surty ☐ 10% ☐ PR for ☐ Deft ☐ MW☐ Bond ☐ revoked ☐ reinstated☐ Surety signatures required _____☒ kodtn. . . . No bond set at this time,☐ kodtn. . . . ORDER OF TEMPORARY DETENTION PENDING HEARING entered.☐ kodtn. . . . ORDER OF DETENTION PENDING TRIAL entered.☐ kocondrls. . Deft advised of conditions of release.☐ kbnd BOND EXECUTED, ☐ Deft ☐ MW released (☐ State Authorities, ☐ INS)☒ kloc.(LC). . ☒ Deft ☐ MW REMANDED to CUSTODY.☐ ko. . . . Deft ORDERED REMOVED to Originating District.☐ kwvprl . . . WAIVER of ☐ Preliminary ☐ kwvr40hr. . . . Waiver of Rule 40 Hearings☐ Court finds PROBABLE CAUSE ☐ ID ☐ PC.☐ karr. . . . Arraignment set _____ ☐ kdtnhrg. Detention Hearing set _____☐ kprlxm . . . Preliminary set _____ ☐ kbndhr. Bond Hearing set _____☐ krmknn. . . Counsel Determination Hearing Set _____☒ krmvhr. . . Identity/Removal Hearing set. *upon atty's request*☐ Deft failed to appear. Oral ORDER for ISSUANCE OF BENCH WARRANT. Bond FORFEITED. (kloc./LR)

DEC 15 2004
IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

§

V.

§

DOCKET NO. MJ 04-M-274-JLA
LAREDO MISC. NO. L-04-10698M-01

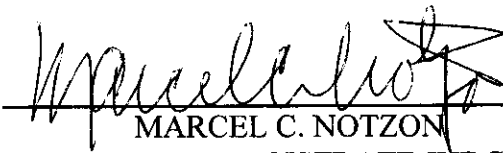
Felix Parra-Gastelom

§

ORDER APPOINTING PUBLIC DEFENDER

Because the above named defendant has testified under oath or has otherwise satisfied this court that he or she is financially unable to employ counsel, and does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender is hereby appointed to represent this person in the above designated case.

If appointment is made by a Magistrate Judge and the case subsequently proceeds to the United States District Court, the appointment shall remain in effect until terminated or a substitute attorney is appointed.


MARCEL C. NOTZON
UNITED STATES MAGISTRATE JUDGE

DATE: 12/15/04

CHARGE: WARRANT - DISTRICT OF MASSACHUSETTS, BOSTON DIVISION -
CRIMINAL COMPLAINT - 21 USC 846 & 841(a)(1)

COURTROOM MINUTES, MAGISTRATE MARCEL C. NOTZON, PRESIDING

COURTROOM CLERK: LINDA DAVILA
ERO: PATRICIA GALVAN
PSO: GEORGE A. WIRSCHING
U S MARSHAL: BILL UHLER
INTERPRETER: DIANA GONZALEZ

J.S. MAGISTRATE COURT
MCN - SDTX
FILED **LD**
DEC 21 2004
Michael N. Milby, Clerk
Laredo Division

OPEN: _____ ADJOURN: 11:50 DATE: 12/21/04

CASE NO: MJ 04-M274-JLA-01
L-04-10698M-01

U. S. A. MARY LOU CASTILLO, AUSA

V.

FELIX PARRA-GASTELOM ARTURO VILLARREAL, FPD

PROCEEDINGS: IDENTITY/REMOVAL/DETENTION HEARING

APPEARANCES: ARTURO VILLARREAL, FPD
MARY LOU CASTILLO, AUSA

Deft was not brought. Reset to 12/28/04 @ 11:00.

COURTROOM MINUTES. MAGISTRATE MARCEL C. NOTZON. PRESIDING

COURTROOM CLERK: LINDA DAVILA
ERO: PATRICIA GALVAN
PSO: George A. Wuechling
U S MARSHAL: Det. [illegible]
INTERPRETER: DIANA GONZALEZ

NOV 28 2004
DEC 28 2004
Michael M. Wilby, Clerk
Laredo Division

OPEN: 11:30 ADJOURN: 11:50 DATE: 12/28/04

CASE NO: L-04-10698M

U. S. A.

Grace Rodriguez, LISA

V.

FELIX PARRA-GASTEL OM

Russell Sidway for
Ali Hassan, Det.

PROCEEDINGS: IDENTITY/REMOVAL/DETENTION HEARING

APPEARANCES: Grace Rodriguez, LISA
Russell M. Sidway for
Ali Hassan, Det.

Mr. [illegible] filed a Motion of Rule 50 Hearings
Mr. [illegible] will forward a Motion to Substitute
Court ordered Det. [illegible] removed to District
Massachusetts, Boston.
Det. [illegible] removed to custody of U S Marshals.

PTS 22-SDTX
Undocumented Alien Defendant
(8/01)

PRETRIAL SERVICES REPORT UNDOCUMENTED ALIEN DEFENDANT

District/Office Southern District of Texas / Laredo Division	Charge(s) (Title, Section, and Description) Title 21 U.S.C. 841(a)(1) Conspiracy and Possess with the intent to distribute 698.50 kilograms of marijuana
Judicial Officer U. S. Magistrate Judge, Marcel C. Notzon	PENALTY: 5-40 yr max; up to \$2MM fine; 4 yr. TSR.
Docket Number (Year-Sequence No.-Def. No.) L-04-10698-02** (Laredo, Texas) MJ 04-M274JLA (Boston, Massachusetts)	

Name Felix Parra-Gastelum		Employer/School Construction Laborer	
Address Cumparcita 526 San Nicolas, Nuevo Leon, Mexico		Employer Address San Nicolas, Nuevo Leon, Mexico	
Time at Address 1.5 years	Time in Community 1.5 years	Monthly Income \$1,200	Time in Empl/School 15 years

Since the defendant has been identified by INS authorities as not having legal status to reside in the United States, this abbreviated report is being completed for the Court. With the exception of any criminal record, the following information in this report has not been corroborated or verified and is based solely on information provided by the defendant and/or federal authorities.

1. DEFENDANT HISTORY:

DOB: 12/31/62 Age: 41	POB: Naranjo, Mexico
--------------------------	----------------------

Time in Area: Unknown

Years: 1.5	Months:	
------------	---------	--

Marital Status:

<input checked="" type="checkbox"/> Married	<input type="checkbox"/> Single	Other:
Spouse: Lillian Castillo	Length of Union: Unknown	Number of Children: 2

Residential:

Own: <input checked="" type="checkbox"/>	Rent: <input type="checkbox"/>	No contribution: <input type="checkbox"/>
Mortgage/Rent Payment: \$0.00		Utilities: \$300.00

Lives with:

<input checked="" type="checkbox"/> Wife	<input checked="" type="checkbox"/> Children	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	Other: <input type="checkbox"/>
--	--	---------------------------------	---------------------------------	---------------------------------

Re: Felix Parra-Gastelum

Family Ties in U. S.:

<input checked="" type="checkbox"/> None	
--	--

2. EMPLOYMENT HISTORY/FINANCIAL RESOURCES:**Currently employed:**

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	How Long: 15 years.	Position/Title: Construction Laborer
Employer: Self			Monthly Wages: \$1,200.00
Total Assets: \$0.00		Total Liabilities: \$800.00	

3. HEALTH	Yes	No	Comments:
Physical Health Problems		X	
History of Drug Abuse		X	Reported he has tried marijuana at the age of 15 and began to use cocaine at the age of 30, but has not used this substance for a year.
History of Alcohol Abuse		X	
History of Mental Illness		X	
On Medication		X	

4. PRIOR RECORD:

Yes:	No: X	A Texas and National Crime Information Center record check reflected the defendant does not have a criminal history.
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5. ASSESSMENT OF NON-APPEARANCE:


1. The defendant does not have the legal status to enter, work, or reside in the United States.

6. ASSESSMENT OF DANGER:

1. None known.

RECOMMENDATION:

Pretrial Services respectfully recommends that the defendant be detained as there is no condition or combination of conditions that can reasonably assure his presence in future court proceedings and/or the safety of the community, if released.

Pretrial Services Officer Orlando Montemayor		Date December 16, 2004	Time
Supervising Pretrial Services Officer Jackie De Los Santos		December 16, 2004	

L54-Dec-04-Parra-Gastelum

UNITED STATES DISTRICT COURT

U.S. MAGISTRATE COURT
MCN - SDTX
FILED

SOUTHERN

DISTRICT OF

TEXAS

DEC 28 2004

UNITED STATES OF AMERICA

V.

WAIVER OF RULE 40 HEARINGS
(Excluding Probation Cases)Michael J. Milby, Clerk
Lando DivisionFELIX PARRA-GASTELUM
TN FELIX PARRA - GASTELUM

CASE NUMBER:

I, FELIX PARRA - GASTELUM, understand that in the
MCN FELIX PARRA - GASTELUM District of Massachusetts, charges are pending
 alleging violation of Conspiracy to Distribute Possession of Marijuana and that I have been
 arrested in this District and taken before a United States Magistrate Judge who informed me of the charge and of my right
 to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings
 to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the
 person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information
 filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held
 either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- (☒) identity hearing
 (☒) preliminary examination
 () identity hearing and have been informed I have no right to a preliminary examination
 () identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is
 pending against me.

12/28/04
 Date

Felix Parra G
 Defendant

[Signature]
 Defense Counsel

UNITED STATES DISTRICT COURT

SOUTHERN

District of

TEXAS

UNITED STATES OF AMERICA

V.

FELIX PARRA-GASTELOM

COMMITMENT TO ANOTHER
DISTRICT

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

MJ 04-M274-JLA-01

L-04-10698M-01

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☐ Indictment☐ Information☒ Complaint☐ Other (specify)

charging a violation of 21 U.S.C. § 846 & 841(a)(1)

DISTRICT OF OFFENSE

DISTRICT OF MASSACHUSETTS, BOSTON DIVISION

DESCRIPTION OF CHARGES:

KNOWINGLY AND INTENTIONALLY CONSPIRED TO DISTRIBUTE AND TO POSSESS WITH INTENT TO DISTRIBUTE MARIJUANA, A SCHEDULE I CONTROLLED SUBSTANCE.

CURRENT BOND STATUS:

☐ Bail fixed at

and conditions were not met

☐ Government moved for detention and defendant detained after hearing in District of Arrest☒ Government moved for detention and defendant detained pending detention hearing in District of Offense

TRUE COPY I CERTIFY

ATTEST:

Michael N. Milby, Clerk

By: J. Paula☐ Other (specify)

Deputy Clerk

Representation: ☒ Retained Own Counsel

Federal Defender Organization

☐ CJA Attorney☐ NoneInterpreter Required? ☐ No☒ Yes

Language: SPANISH

DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

1-5-05

Date



United States Judge or Magistrate Judge

RETURN**This commitment was received and executed as follows:**

DATE COMMITMENT ORDER RECEIVED		PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED
DATE	UNITED STATES MARSHAL		(BY) DEPUTY MARSHAL

IOHVX